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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/970,104	10/03/2001	Motohiro Suzuki	SIW-013	1403
959	7590	08/30/2005	EXAMINER	
LAHIVE & COCKFIELD, LLP. 28 STATE STREET BOSTON, MA 02109			ALEJANDRO, RAYMOND	
			ART UNIT	PAPER NUMBER
			1745	

DATE MAILED: 08/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER
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59/970104

ART UNIT	PAPER
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20050824

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**Commissioner for Patents**

The information disclosure statement filed 08/10/05 fails to comply with 37 CFR 1.97(d) because even though it contains a statement as specified in 37 CFR 1.97(e) the IDS does include three (3) references that were not first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the IDS. For instance, documents US 5432020, US 6562500 and US 6696192 were not cited first cited in the communication from the foreign patent office (Refer to the Notice of Reasons for Rejection also submitted along with the IDS form and the references).

Thus, the IDS does not satisfy the requirement that EACH item of information contained in the IDS was first cited in any communication from a foreign patent application. Accordingly, the IDS has been placed in the application file, but the information referred to therein has not been considered. See MPEP 602 [R-2] Information Disclosure Statement for more details.

Raymond Alejandro  
Primary Examiner  
Art Unit: 1745

**RAYMOND ALEJANDRO**  
**PRIMARY EXAMINER**